

**UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND**

IN RE: KUGEL MESH HERNIA PATCH LITIGATION

This document relates to all actions.

MDL DOCKET NO. 07-1842-ML

PROPOSED PRACTICE AND PROCEDURE ORDER NUMBER 17

This matter came before the Court on December 9, 2008 for a status conference.

The Court considered items listed on the Meeting Agenda (Docket #1552). The Court now makes the following orders:


1. **Defendant's Document Production.** Defendants shall complete the Wave II document production by January 31, 2009.
2. **Corporate Employee Document Requests.** Parties will meet and confer regarding the procedure by which documents responsive to document production requests made in association with deposition notices of corporate employees shall be identified prior to each corporate employee deposition.
3. **Motions to Show Cause.** Prior to filing a Motion to Show Cause, Defendants' counsel shall forward to plaintiffs' counsel a list of cases in which defendants intend to file a Motion to Show Cause. Plaintiff's Liaison Counsel will confer with appropriate plaintiff's counsel and notify defendants whether plaintiff's counsel intend to dismiss the case, withdraw as counsel, or contend the case should not be dismissed due to deficiency. The parties shall meet and confer regarding the details of this procedure.
4. **Selection of Cases for Trial.** The parties shall meet and confer regarding procedures to be followed for the selection of cases for trial from those that were filed directly in or removed to this Court on or before December 31, 2008, in accordance with the discussions at the December 9, 2008 hearing.

5. **Motions to Withdraw.** Where the Court grants a Motion to Withdraw as Counsel, if plaintiff, or plaintiff's successor counsel, fails to enter their appearance within 30 days the case will be dismissed without prejudice without further notice from the Court.

5. **Proposed Agenda Items and Pending Motions List.** In consultation with lead defense counsel, plaintiffs' liaison counsel shall submit to the Court a list of proposed agenda items and a current list and status of all motions on or before February 3, 2009. The Court will publish the agenda on or before February 6, 2009.

6. **Next Meeting.** The Court will meet with lead plaintiffs' counsel and defendants' counsel on February 10, 2009 at 1:00 p.m. in Room 307 of the United States Courthouse, One Exchange Terrace, Providence, RI.

SO ORDERED:



Mary M. Lisi
Chief United States District Judge
January 23, 2009